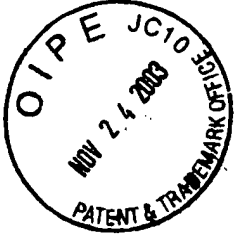


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ATTORNEY'S DOCKET NUMBER: 2003080-0082 (SK-744-CON3)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Danishefsky *et al.*

Examiner: Solola, Taofiq

Serial No.: 09/874,514

Art Unit: 1626

Filing Date: June 5, 2001

Title: *Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

Enclosed are the following documents:

1. Response to Notice of Non-Compliant Amendment (1 page); and
2. Return Postcard.

If any fees are required to be paid or if any overpayment has been made, please charge or credit same to Deposit Account No. 03-1721.

Respectfully Submitted,

C. Hunter Baker, M.D., Ph.D.

Reg. No.: 46,533

CHOATE, HALL & STEWART  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000

Dated: November 20, 2003

**Certificate of Mailing**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

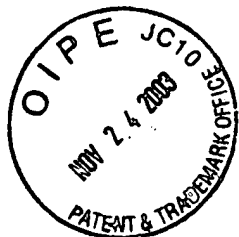
November 20, 2003

Date

Signature

Linda M. Amato

Typed or Printed Name of person signing certificate



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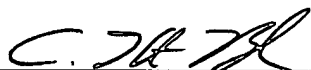
Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

In response to the Notice of Non-Compliant Amendment mailed October 14, 2003, Applicant submits that the Amendment filed September 29, 2003 obviated the objection to the Amendment previously filed on September 15, 2003. In the Notice, the Legal Instruments Examiner specifically objected to the fact that claim 144 was presented as "canceled" and as "currently amended" in the September 15, 2003 Amendment. In the subsequent Amendment filed on September 29, 2003, claim 144 was clearly designated as canceled, thereby obviating the Legal Instruments Examiner's objection. In addition, Applicant spoke with Examiner Solola who indicated that the Notice of Non-Compliant Amendment was withdrawn in light of the subsequent Amendment.

Respectfully submitted,

  
C. Hunter Baker, M.D., Ph.D.  
Registration Number 46,533

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